UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/428,384	10/28/1999	STEPHEN WILLARD DICKSON	15311-2207	4583

22879 . 7590 02/21/2007		EXAMINER
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INTELLECTUAL PROPERTY ADMINISTRATION	ART UNIT	PAPER NUMBER
FORT COLLINS, CO 80527-2400	2162	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	09/428,384	DICKSON, STEPHEN WILLARD
	Examiner	Art Unit	
	Anh Ly	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 September 2005*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213..

Disposition of Claims

4)☒ Claim(s) *1-40* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-40* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

1.   This Office Action is response to Applicant's Response filed on 09/16/2005.

Response to Arguments

2.   In view of the Appeal Brief filed on 09/16/2005, PROSECUTION IS HEREBY

REOPENED. A new ground rejection set forth below.

To avoid abandonment of the application, appellant must exercise one of the

following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply

under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied

by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130,

1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Applicant argued that, "Loucks fails to teach or suggest the third limitation of

claim 1, namely, a second message, which is in response to a first message and that

grants a plurality of tokens required to modify a file." (page 11, in Appeal Brief dated

09/16/2005).

Loucks teaches requesting authorization for a computer implemented process to

perform an operation on shared data and for managing request generated by means for

requesting: col. 3, lines 45-50; and the function of token requester, fig 4, item 418, (i.e.,

second process) is to request tokens, including other messages, explicitly a second

message. when needed, from MDFS PX token manager's component mtkm 420: col. 6,

lines 8-35; also, client cache manager requests Open-Read and Open-Write tokens when it mounts the first set: col. 8, lines 35-67 and tokens represent an authorization for a process to perform a certain function, e.g., a "read" token permit client to read data while a "write" token permits the client to update data: col. 6, lines 8-15: granting authorization tokens allowing an operation to be performed on the shared data, the means for granting being respo0nsive to means for managing).

Applicant argued that, "Loucks does not teach or suggest a single message that grants a plurality of tokens." (pages 12, 13, and 14).

Loucks teaches a request message for reading and writing from mtkm, which has function to request tokens from a client. Thus, this is a single message that grants multiple tokens such as mtkr (see fig. 4 and 8's, col. 10, lines 1-10; also, col. 5, lines 65-67 and col. 6, lines 1-67and col. 7, lines 1-32).

Applicant argued that, "Loucks does not teach or suggest a request for a set, multiple tokens." (page 15).

Loucks teach mtkr tokens in fig. 4, items 418 in MCM (multiple tokens) for reading and writing such as read token and write token (col. 6, lines 8-12).

3.   Claims 1- 40 are pending this Application.

Claim Rejections - 35 USC § 101

4.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5.   Claims 1-40 are rejected under 35 U.S.C. 101 because the bodies of claims 1, 6,

11, 14, 19, 20, 21, 27, 30, 33 and 36 in view of MPEP 2106 (IV)(C)(2)((1) & (2) & (a) &

(b) & (c)) sections are non statutory because they are **lacking of real world useful**

result. They are missing the steps or processes producing any useful result to the

invention, of having a utility to convey the final result achieved by the claimed invention,

that is, they are not producing a result tied to the real/physical world or this application is

not a practical application. That is, these claims are missing **"utility requirement"** of 35

U.S.C. 101 (the utility of an invention has to be (i) specific, (ii) substantial and (iii)

credible (MPEP 2107.01), these claims must show that the claimed invention is "useful"

for some purpose either explicitly or implicitly (Fisher, 421, F.3d 1356, 76 USPQ2d at

1230 and 1225 (Fed. Cir. 2005). Thus, requiring the applicant to distinguish the claim

from the three 35 U.S.C. 101 judicial exceptions (Laws of Nature, Natural Phenomena

and Abstract Ideas) (MPEP 2106 IV C) to patentable subject matter by specifically

reciting in the claim the practical application. A claim that can be read so broadly as to

include statutory and nonstatutory subject matter must be amended to limit the claim to

a practical application. In other words, if the specification discloses a practical

application of a section 101 judicial exceptions, but the claim is broader than the

disclosure such that it does not require a practical application, then the claim must be

rejected. That is, it require that the claim must recite more than 101 judicial exception, in

that the process claim must set forth a practical application of that judicial exception to produce a real-world result (Benson, 409 U.S. at 71-72, 175 USPQ at 676-77) and the process must have a result that can be substantially produce the same result again and must achieve the required status of having real world value or to be realized as "useful result". (In re Swartz, 232 F3d 862, 864, 56 USPQ2d 1703, 1704 (Fed. Cir. 2000)).

6.   Claims 19-26 are programs or software programs having a plurality of executable instructions or codes that is non-statutory, **software per se.** Also, the software program is not executed directly or positively (must be well-defined in specification, not to be executable or cause or causing) by a physical object to constitute a machine, which is a **functional descriptive material per se.** Thus, it is **descriptive material per se.** The descriptive material includes non-functional and functional descriptive material. When nonfunctional descriptive material is recorded on some computer-readable medium, in a computer or on an electromagnetic carrier signal, it is not statutory since no requisite functionality is present to satisfy the practical application requirement. Merely claiming nonfunctional descriptive material, i.e., abstract ideas, stored on a computer- readable medium, in a computer, or on an electromagnetic carrier signal, does not make it statutory. See Diehr, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an algorithm in Benson were unpatentable as abstract ideas because "[t]he sole practical application of the algorithm was in connection with the programming of a general purpose computer."). Such a result would exalt form over substance. In re Sarkar, 588 F.2d 1330, 1333, 200 USPQ 132, 137 (CCPA 1978) ("[E]ach invention must be evaluated as claimed; yet semantogenic considerations preclude a determination based

solely on words appearing in the claims. In the final analysis under § 101, the claimed

invention, as a whole, must be evaluated for what it is.") (quoted with approval in Abele,

684 F.2d at 907, 214 USPQ at 687). See also In re Johnson, 589 F.2d 1070, 1077, 200

USPQ 199, 206 (CCPA 1978) ("form of the claim is often an exercise in drafting"). Thus,

nonstatutory music is not a computer component, and it does not become statutory by

merely recording it on a compact disk. Protection for this type of work is provided under

the copyright law. When nonfunctional descriptive material is recorded on some

computer-readable medium, in a computer or on an electromagnetic carrier signal, it is

not statutory and should be rejected under 35 U.S.C. 101. (MPEP 2106.01 [R-5] -

Computer-Related Nonstatutory Subject matter).

7.   The claims lack the necessary physical articles or objects to constitute a machine or a
manufacture within the meaning of 35 USC 101. They are clearly not a series of steps or act to
be a process nor are they a combination of chemical compounds to be a composition of matter.
As such, they fail to fall within a statutory category. They are, at best, functional descriptive
material *per se*.

        Descriptive material can be characterized as either "functional descriptive material" or
"nonfunctional descriptive material." Both types of "descriptive material" are nonstatutory when
claimed as descriptive material *per se*, 33 F.3d at 1360, 31 USPQ2d at 1759. When functional
descriptive material is recorded on some computer-readable medium, it becomes structurally and
functionally interrelated to the medium and will be statutory in most cases since use of
technology permits the function of the descriptive material to be realized. Compare *In re Lowry*,
32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994)

        Merely claiming nonfunctional descriptive material, i.e., abstract ideas, stored on a
computer-readable medium, in a computer, or on an electromagnetic carrier signal, does not
make it statutory. See *Diehr*, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an
algorithm in *Benson* were unpatentable as abstract ideas because "[t]he sole practical application
of the algorithm was in connection with the programming of a general purpose computer.").

Claim Rejections - 35 USC § 112

8.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter, which the applicant regards as his invention.

9.   Claims 2-5, 7-10, 12-13, 15-18, 22-26, 28-29, 32, 34-35, and 37 recite the

limitations "A system", in the first line of claims 2-5, 15-16, 18 and 28-29; "A node" in the

first line of claims 7-10, and 12-15; "computer-readable memory" in first line of claims

22-26; and "A method" in first line of claims 32, 34-35 and 37. There are insufficient

antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

10.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

11.   Claims 1-40 are rejected under 35 U.S.C. 102(e) as being anticipated by US

Patent No. 5,634,122 issued to Loucks et al. (hereafter Loucks).

With respect to claim 1, Loucks teaches a computerized data file system (a

system and a method for controlling access to shared resources of a distributed file

system including a plurality of processes and tokens (abstract, fig. 3, item 312 and col.

5, lines 45-65), comprising:

a first process that maintains a data file in a computer-readable memory (server

files are stored on a non-volatile hard disk: col. 5, lines 55-56, fig. 2, item 208);

a second process that generates a first message requesting (means for

requesting authorization for a computer implemented process to perform an operation

on shared data; means for managing request generated by means for requesting (col.

3, lines 45-50) that said second process be granted by said first process (the function of

token requester, fig 4, item 418, (i.e., second process) is to request tokens, when

needed, from MDFS PX token manager's component mtkm 420 (i.e., first process): col.

6, lines 8-35) a plurality of tokens required for said second process (client cache

manager requests Open-Read and Open-Write tokens when it mounts the first set: col.

8, lines 35-67) to modify at least one characteristic of said file stored in said computer-

readable memory (tokens represent an authorization for a process to perform a certain

function, e.g., a "read" token permit client to read data while a "write" token permits the

client to update data: col. 6, lines 8-15); and

said first process generating a second message, in response to said first

message, that grants said tokens to said second process if said tokens are available for

grant to said second process (means for granting authorization tokens allowing an

operation to be performed on the shared data, the means for granting being responsive

to the means for managing: col. 3, lines 49-52).

With respect to claim 2, Loucks teaches said first process is resident at a server

computer node, and said second process is resident at a client computer node (see fig.

3 and fig. 5, client machine and server machine; col. 5, lines 7-10 and col. 7, lines 32-40).

With respect to claim 3, Loucks teaches if any of said tokens are unavailable for grant to said second process as a result of current grant of said tokens to at least one other process, said first process generates a third message revoking the current grant of said tokens to said at least one other process (abstract, col. 6, line 8-40 and col. 7, lines 52-67).

With respect to claim 4, Loucks teaches said at least one other process, in response to said third message, generates a fourth message making said tokens available for grant by said first process (abstract and col. 6, lines 8-40).

With respect to claim 5, Loucks teaches said first process resides in a first computer node; said second process resides in a second computer node; said at least one other process resides in at least one other computer node; and said first computer, second computer, and at least one other computer nodes are networked together and are remote from each other (client/server architecture network with network file system and distributing file system: see fig. 3 and 5).

With respect to claim 6, Loucks teaches a computer node (fig. 1, distributed system consisting a plurality of clients/client nodes and servers/server nodes interconnected by a network), comprising: a first process residing in said node that generates a first message that grants a set of tokens, if the set of tokens is available for grant, to a second process that requested grant of the set of tokens, the set of tokens being required for the second process to be able to modify at least one characteristic of

a file stored in a computer-readable memory within the computer node (client/server environment including server machine, client machines, distributed file system and network file system. Network file system allows client machines to cache data from server files, for read access and write access. The server machine can be used for distributed file system. The system comprising granting, requesting and revoking tokens: figs 2, 3, & 4; col. 6, lines 28-35 and col. 9, lines 38-48; and server device/machine generating requesting token: col. 9, lines 18-30 and lines 40-48 and col. 11, lines 18-32;fig 4, item 418, (i.e., second process) is to request tokens, when needed, from MDFS PX token manager's component mtkm 420 (i.e., first process): col. 6, lines 8-35; client cache manager requests Open-Read and Open-Write tokens when it mounts the first set: col. 8, lines 35-67; tokens represent an authorization for a process to perform a certain function, e.g., a "read" token permit client to read data while a "write" token permits the client to update data: col. 6, lines 8-15).

With respect to claims 7-9, Loucks teaches each of the processes resides in a respective one of computer nodes; one of the processes resides in a server computer node and the other of the processes resides in a client computer node; if at least one token in the set of tokens is unavailable for grant because the at least one token is currently granted to a third process, that revokes current grant of the at least one token to the third process prior to generating the first message the first message is generated by the first process in response to a request for the grant of the set of tokens generated by the second process (see fig. 3 and fig. 5, client machine and server machine; col. 5, lines 7-10 and col. 7, lines 32-40).

With respect to claim 10, Loucks teaches wherein: 2 the first message is generated by the first process in response to a request for the grant of the set of tokens generated by the second process, the request specifying all tokens required for the second process to be able to modify the at least one characteristic of the file (granting tokens such as read or write token: col. 2, lines 18-25; col. 6, lines 50-67 and col. 7, lines 1-12).

With respect to claim 11, Loucks teaches a computer node, comprising a first process residing in said node that generates a request to a second process for grant of a set of tokens required to enable the first process to modify at least one characteristic of a tile residing in a remote computer-readable memory (fig. 1, distributed system consisting a plurality of clients/client nodes and servers/server nodes interconnected by a network; client/server environment including server machine, client machines, distributed file system and network file system. Network file system allows client machines to cache data from server files, for read access and write access. The server machine can be used for distributed file system. The system comprising granting, requesting and revoking tokens: figs 2, 3, & 4; col. 6, lines 28-35 and col. 9, lines 38-48; and client/server environment including server machine, client machines, distributed file system and network file system. Network file system allows client machines to cache data from server files, for read access and write access. The server machine can be used for distributed file system. The system comprising granting, requesting and revoking tokens: figs 2, 3, & 4; col. 6, lines 28-35 and col. 9, lines 38-48; and server device/machine generating requesting token: col. 9, lines 18-30 and lines 40-48 and col.

11, lines 18-32;fig 4, item 418, (i.e., second process) is to request tokens, when

needed, from MDFS PX token manager's component mtkm 420 (i.e., first process): col.

6, lines 8-35; client cache manager requests Open-Read and Open-Write tokens when

it mounts the first set: col. 8, lines 35-67; tokens represent an authorization for a

process to perform a certain function, e.g., a "read" token permit client to read data

while a "write" token permits the client to update data: col. 6, lines 8-15).

With respect to claim 12, Loucks teaches the second process resides in a

second computer node, and the memory is comprised in said second node (see fig. 3

and fig. 5, client machine and server machine; col. 5, lines 7-10 and col. 7, lines 32-40).

With respect to claim 13, Loucks teaches wherein: the set of tokens comprises all

tokens required for the first process to be able to modify the at least one characteristic

of the file (set of tokens: col. 6, lines 8-35 and col. 8, lines 32-67).

With respect to claim 14, Loucks teaches a network computer system (a

distributed system connecting with a plurality of clients and server: fig. 1 and col. 4, lines

55-65), comprising:

a first computer node having a data file stored in a computer-readable memory;

and a second computer node that issues to the first computer node a first message

requesting pant of a set of tokens required to carry out a modification of at least one

characteristic of said file stored in the first computer node; 6 the first computer node

issuing a second message to the second computer node after receipt of the first

message, the second message granting the set of tokens to the first process if the set of

tokens is available for grant to the second process (fig. 3-4, col. 5, lines 52-67 and col.

6, lines 1-50; also, The system comprising granting, requesting and revoking tokens:

figs 2, 3, & 4; col. 6, lines 28-35 and col. 9, lines 38-48; and server device/machine

generating requesting token: col. 9, lines 18-30 and lines 40-48 and col. 11, lines 18-

32;fig 4, item 418, (i.e., second process) is to request tokens, when needed, from MDFS

PX token manager's component mtkm 420 (i.e., first process): col. 6, lines 8-35; client

cache manager requests Open-Read and Open-Write tokens when it mounts the first

set: col. 8, lines 35-67; tokens represent an authorization for a process to perform a

certain function, e.g., a "read" token permit client to read data while a "write" token

permits the client to update data: col. 6, lines 8-15).

With respect to claim 15, Loucks teaches the first computer node is a server

node, and the second computer node is a non-server node (see fig. 3 and fig. 5, client

machine and server machine; col. 5, lines 7-10 and col. 7, lines 32-40).

With respect to claim 16, Loucks teaches wherein: the set of tokens comprises all

tokens required to carry out the modification of the at least one characteristic of the file

(tokens represent an authorization for a process to perform a certain function, e.g., a

"read" token permit client to read data while a "write" token permits the client to update

data: col. 6, lines 8-15).

With respect to claim 17, Loucks teaches wherein: if at least one token in the set

of tokens is unavailable for the grant because the at least one token is currently

granted, the first computer node waits to issue the first message until after the first

computer node receives a third message from a third computer node indicating

relinquishment of current rant of the at least one token (figs. 4, 7-8, col. 6, lines 28-35

and col. 9, lines 60-67 and col. 10, lines 1-54).

With respect to claim 18, Loucks teaches wherein: the at least one token

comprises a plurality of tokens (client cache manager requests Open-Read and Open-

Write tokens when it mounts the first set: col. 8, lines 35-67).

Claim 19 is essentially the same as claim 1 except that it is directed to a

computer-readable memory containing computer-executable program instructions rather

than a computerized data file system, and is rejected for the same reason as applied to

the claim 1 hereinabove.

Claim 20 is essentially the same as claim 6 except that it is directed to a

computer-readable memory containing computer-executable program instructions rather

than a computer node, and is rejected for the same reason as applied to the claim 6

hereinabove.

Claim 21 is essentially the same as claim 11 except that it is directed to a

computer-readable memory containing computer-executable program instructions rather

than a computer node, and is rejected for the same reason as applied to the claim 11

hereinabove.

Claim 22 is essentially the same as claim 3 except that it is directed to a

computer-readable memory containing computer-executable program instructions rather

than a computerized data file system, and is rejected for the same reason as applied to

the claim 3 hereinabove.

Claim 23 is essentially the same as claim 4 except that it is directed to a computer-readable memory containing computer-executable program instructions rather than a computerized data file system, and is rejected for the same reason as applied to the claim 4 hereinabove.

Claim 24 is essentially the same as claim 9 except that it is directed to a computer-readable memory containing computer-executable program instructions rather than a computer node, and is rejected for the same reason as applied to the claim 9 hereinabove.

Claim 25 is essentially the same as claim 10 except that it is directed to a computer-readable memory containing computer-executable program instructions rather than a computer node, and is rejected for the same reason as applied to the claim 10 hereinabove.

Claim 26 is essentially the same as claim 13 except that it is directed to a computer-readable memory containing computer-executable program instructions rather than a computer node, and is rejected for the same reason as applied to the claim 13 hereinabove.

With respect to claim 27, Loucks teaches a computerized data file system (a system and a method for controlling access to shared resources of a distributed file system including a plurality of processes and tokens (abstract, fig. 3, item 312 and col. 5, lines 45-65), comprising:

means for maintaining a data file in a computer-readable memory (server files are stored on a non-volatile hard disk: col. 5, lines 55-56, fig. 2, item 208);

Means for generating a first message requesting grant of a plurality of tokens required to modify at least one characteristic of said file stored in said computer-readable memory (means for requesting authorization for a computer implemented process to perform an operation on shared data; means for managing request generated by means for requesting: col. 3, lines 45-50; the function of token requester, fig 4, item 418, (i.e., second process) is to request tokens, when needed, from MDFS PX token manager's component mtkm 420 (i.e., first process): col. 6, lines 8-35; a plurality of tokens required for said second process: client cache manager requests Open-Read and Open-Write tokens when it mounts the first set: col. 8, lines 35-67; tokens represent an authorization for a process to perform a certain function, e.g., a "read" token permit client to read data while a "write" token permits the client to update data: col. 6, lines 8-15); and

means for generating a second message, in response to said first message, that grants said tokens if said tokens are available for grant (means for granting authorization tokens allowing an operation to be performed on the shared data, the means for granting being responsive to the means for managing: col. 3, lines 49-52).

With respect to claim 28, Loucks teaches a system further comprising: means for generating, if any of said tokens are unavailable for grant to said second process as a result of current grant of said tokens, a third message revoking the current grant of said tokens (abstract, col. 6, line 8-40 and col. 7, lines 52-67).

With respect to claim 29, Loucks teaches a system further comprising: means for generating, in response to said third message, generates a fourth message making said tokens available for grant (abstract and col. 6, lines 8-40).

Claim 30 is essentially the same as claim 1 except that it is directed to a method rather than a computerized data file system, and is rejected for the same reason as applied to the claim 1 hereinabove.

Claim 31 is essentially the same as claim 3 except that it is directed to a method rather than a computerized data file system, and is rejected for the same reason as applied to the claim 3 hereinabove.

Claim 32 is essentially the same as claim 4 except that it is directed to a method rather than a computerized data file system , and is rejected for the same reason as applied to the claim 4 hereinabove.

Claim 33 is essentially the same as claim 6 except that it is directed to a method rather than a computerized data file system, and is rejected for the same reason as applied to the claim 6 hereinabove.

Claim 34 is essentially the same as claim 9 except that it is directed to a method rather than a computerized data file system, and is rejected for the same reason as applied to the claim 9 hereinabove.

Claim 35 is essentially the same as claim 10 except that it is directed to a method rather than a computerized data file system, and is rejected for the same reason as applied to the claim 10 hereinabove.

Claim 36 is essentially the same as claim 11 except that it is directed to a method rather than a computerized data file system, and is rejected for the same reason as applied to the claim 11 hereinabove.

Claim 37 is essentially the same as claim 13 except that it is directed to a method rather than a computerized data file system, and is rejected for the same reason as applied to the claim 13 hereinabove.

With respect to claim 38, Loucks teaches wherein: said second process, in response to receiving said second message, modifies said at least one characteristic of said file stored in said computer-readable memory (tokens represent an authorization for a process to perform a certain function, e.g., a "read" token permit client to read data while a "write" token permits the client to update data: col. 6, lines 8-15).

With respect to claim 39, Loucks teaches the system further comprising: means for modifying said at least one characteristic of said file stored in said computer-readable memory (tokens represent an authorization for a process to perform a certain function, e.g., a "read" token permit client to read data while a "write" token permits the client to update data: col. 6, lines 8-15).

With respect to claim 40, Loucks teaches a method further comprising: modifying said at least one characteristic of said file stored in said computer-readable memory (tokens represent an authorization for a process to perform a certain function, e.g., a "read" token permit client to read data while a "write" token permits the client to update data: col. 6, lines 8-15).

Contact Information

12.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or

via E-Mail: ANH.LY@USPTO.GOV **or fax to (571) 273-4039**. The examiner can

normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Breene, can be reached on (571) 272-4107 or **Primary Examiner**

Jean Corrielus (571) 272-4032.

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Any response to this action should be mailed to: Commissioner of Patents and

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ANH LY/
NOV. 15th, 2005

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